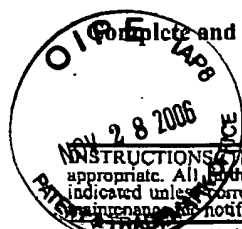


## PART B - FEE(S) TRANSMITTAL



Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISS' FEE  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (571)-273-2885**

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26379 7590 10/12/2006

DLA PIPER RUDNICK GRAY CARY US, LLP

2000 UNIVERSITY AVENUE

E. PALO ALTO, CA 94303-2248

11/29/2006 HDESS2 00000067 071896 10812627

01 FC:2501 700.00 DA  
 02 FC:1504 300.00 DA  
 03 FC:8001 30.00 DA

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Cathy Pittman	(Depositor's name)
<i>Cathy Pittman</i>	(Signature)
November 28, 2006	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,627	03/29/2004	Eddie Chen	1190889-991340	3479

TITLE OF INVENTION: SHOE HAVING AN UPPER MADE OF A WATERPROOF BREATHABLE LAMINATE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$0	\$1000	01/12/2007

EXAMINER	ART UNIT	CLASS-SUBCLASS
PATTERSON, MARIE D	3728	036-004000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 DLA PIPER US LLP

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

EDDIE CHEN

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

TAIWAN

Please check the appropriate assignee category or categories (will not be printed on the patent): ☒ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☒ Advance Order - # of Copies 10

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 07-1896 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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Authorized Signature

Timothy W. Lohse

Date November 28, 2006

Typed or printed name

Registration No. 35,255

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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DLA Piper US LLP  
2000 University Avenue  
East Palo Alto, California 94303-2215  
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Timothy W. Lohse  
timothy.lohse@dlapiper.com  
T 650.833.2055  
F 650.833.2001

**Fax Transmission Cover Sheet****November 28, 2006**

To  
U.S. PATENT AND TRADEMARK OFFICE  
MAIL STOP ISSUE FEE

Telephone

Fax Number  
(571) 273-2885

From: Timothy W. Lohse *TW*  
650.833.2055

Client-Matter Number: 347298-991340

Re: U.S. Patent Application S/N 10/812,627  
Filed: March 29, 2004

Title: SHOE HAVING AN UPPER MADE OF A WATERPROOF BREATHABLE LAMINATE

Pages: - 5 - (including this form) Originals:

If there is a problem with this transmission, please call

650-833-1548

Fax Operator/Ext.

Message:

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U.S. Patent and Trademark Office, MAIL STOP ISSUE FEE, at Facsimile Number  
(571) 273-2885 on November 28, 2006:

*Cathy Pittman*  
Cathy Pittman

1. Transmittal Form (1 pg);
2. Part B - Issue Fee(s) Transmittal (1 pg);
3. Fee Transmittal Fy 2006 (1 pg); and
4. Certificate of Facsimile Transmission (1 pg).

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PTO/SB/Z1 (09-04)

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<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/812,627	
	Filing Date	March 29, 2004	
	First Named Inventor	Eddie CHEN	
	Art Unit	3728	
	Examiner Name	Marie D. PATTERSON	
Total Number of Pages In This Submission	5	Attorney Docket Number	347298-991340 (1190889-991340)

**ENCLOSURES** (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached see deposit account <input type="checkbox"/> Amendment/Response to Office Action dated February 22, 2006 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Petition for Extension of Time Request 2 mths <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. USPTO Fax Cover Sheet (1 pg); 2. Part B-Issue Fee(s) Transmittal. (1 pg); 3. Fee Transmittal FY 2006 (1 pg); and 4. Certificate of Fax Transmittal.
Remarks  The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 07-1896 (Docket No. 347298-991340).		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	DLA PIPER US LLP		
Signature			
Printed name	Timothy W. Lohse		
Date	11-28-06	Reg. No.	35,255

**CERTIFICATE OF TRANSMISSION/MAILING**

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Signature			
Typed or printed name	Cathy Pittman	Date	November 28, 2006

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347298-991340



11/28/2006 16:32 FAX 650 833 2001

DLA PIPER US LLP

004

PTO/SB/17 (01-08)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
for FY 2006☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**1,030.00****Complete if Known**

Application Number	10/812,627
Filing Date	March 29, 2004
First Named Inventor	Eddie CHEN
Examiner Name	Marie D. PATTERSON
Art Unit	3728
Attorney Docket No.	347298-991340 (1190889-991340)

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: **07-1896** Deposit Account Name: **DLA PIPER RUDNICK GRAY CARY US LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP =	x	=

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Other: Issue Fee (\$700); Publication Fee (\$300); Patent copies fee (\$30)

**\$1030.00****SUBMITTED BY**

Signature

Registration No. 35,255  
(Attorney/Agent)

Telephone 650.833.2055

Name (Print/Type)

Timothy W. Lohse

Date November 28, 2006

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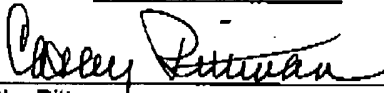
Docket No. 347298-991340

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Eddie Chen	Atty Docket No.	347298-991340
Serial No.	10/812,627	Group Art Unit:	3728
Filed:	March 29, 2004	Examiner:	Marie D. Patterson
Title:	SHOE HAVING AN UPPER MADE OF A WATERPROOF BREATHABLE LAMINATE		

## Certificate of Facsimile Transmission under 37 CFR 1.8

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Cathy Pittman

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